

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 09-01843 CRB	DATE FILED 4/28/09	U.S. DISTRICT COURT 450 Golden Gate Ave., 16th Floor, San Francisco, CA 94102
PLAINTIFF PLANTRONICS INC		DEFENDANT ALIPH INC. ET AL
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,712,453	1/27/98	Plantronics, Inc.
2		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT See enclosed copy of Stipulation and Order of Dismissal.	
--	--

SAMUEL K. LU (SBN 171969)
NATHAN N. LOWENSTEIN (SBN
241067)
BRIAN D. KRECHMAN (SBN 254418)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
E-mail: slu@irell.com
E-mail: nlowenstein@irell.com
E-mail: bkrechman@irell.com

Attorneys for Plaintiff
PLANTRONICS, INC.

JAMES POOLEY (SBN 58041)
MICHAEL A. JACOBS (SBN 111664)
SUSAN V. VAUGHAN (SBN 223576)
JONATHAN L. MCFARLAND (SBN 247601)
CHRISTOPHER L. ROBINSON (SBN 260778)
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5600
Facsimile: (650) 494-0792
E-mail: jpooley@mofo.com
E-mail: mjacobs@mofo.com
E-mail: svaughan@mofo.com
E-mail: jmcfarland@mofo.com
E-mail: christopherrobinson@mofo.com

DAVID SCHNAPF (SBN 100199)
TOWNSEND & TOWNSEND & CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Telephone: (415) 576-0200
Facsimile: (415) 576-0300
E-mail: dschnapf@townsend.com

Attorneys for Defendants
ALIPH, INC. and ALIPHCOM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PLANTRONICS, INC.

Plaintiff

v.

ALIPH, INC. and ALIPHCOM, INC.,

Defendants.

Case No. C 09-01843 CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER DISMISSING CASE WITHOUT
PREJUDICE**

STIPULATION AND ~~[PROPOSED]~~
ORDER DISMISSING CASE
C 09-01843 CRB

1 Plaintiff Plantronics, Inc. ("Plantronics"), by and through its undersigned counsel, and
2 Defendants Aliph, Inc. and AliphCom, Inc. (collectively, "Aliph"), by and through their
3 undersigned counsel, submit the following stipulation of dismissal without prejudice pursuant to
4 Rule 41(a)(1) of the Federal Rules of Civil Procedure:

5 WHEREAS, on January 15, 2009, Plantronics filed suit against Aliph in the Eastern
6 District of Texas (case number 6:09-cv-24, the "Texas Action");

7 WHEREAS, on March 23, 2009, the court granted Aliph's motion to transfer the Texas
8 Action to the Northern District of California;

9 WHEREAS, on April 14, 2009, the Texas Action was transferred to the Northern District
10 of California, and became Case No. 3:09-cv-01714 (the "Judge Breyer Action");

11 WHEREAS, on April 28, 2009, the Texas Action was erroneously transferred again to the
12 Northern District of California, and became the instant action, Case No. 3:09-cv-01843 (the
13 "Judge James Action");

14 WHEREAS, on May 5, 2009, the Court issued an order relating the Judge James Action to
15 the Judge Breyer Action;

16 WHEREAS, the parties agree that the Judge James Action was erroneously opened and is
17 duplicative of the Judge Breyer Action;

18 ACCORDINGLY, the parties agree that the Judge James Action (Case No. 3:09-cv-
19 01843) should be dismissed without prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of
20 Civil Procedure, without any effect on the Judge Breyer Action (Case No. 3:09-01714), and
21 request that the Court order the same.

22 IT IS SO STIPULATED.
23
24
25
26
27
28

STIPULATION AND [PROPOSED]
ORDER DISMISSING CASE
C 09-01843 CRB

1 Dated: November 3, 2009

IRELL & MANELLA LLP

2
3 By: /s/ Brian D. Krechman

4 Brian D. Krechman
5 Attorneys for Plaintiff
6 PLANTRONICS, INC.

7 Dated: November 3, 2009

MORRISON & FOERSTER LLP
TOWNSEND & TOWNSEND & CREW LLP

8
9 By: /s/ Susan V. Vaughan

10 Susan V. Vaughan
11 Attorneys for Defendants
12 ALIPH, INC. and ALIPHCOM, INC.

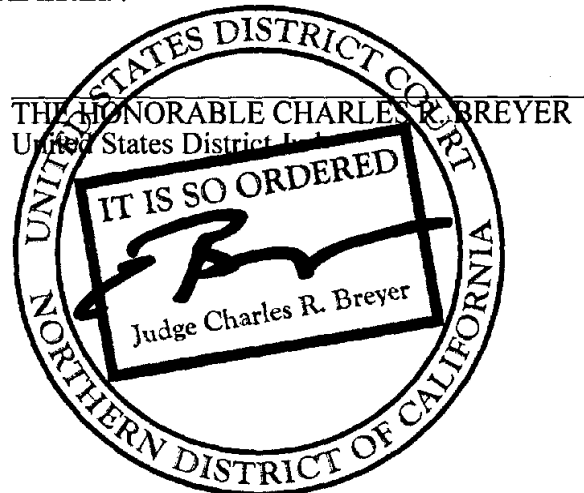
13 Filer's Attestation:

14 I, Brian D. Krechman, am the ECF user whose identification and password are being used to file
15 this **STIPULATION AND [PROPOSED] ORDER DISMISSING CASE**. In compliance with
16 General Order 45.X.B, I hereby attest that Susan V. Vaughan concurs in this filing.

17 By: /s/ Brian D. Krechman
18 Brian D. Krechman

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20 Dated: Nov. 10, 2009



STIPULATION AND [PROPOSED]
ORDER DISMISSING CASE
C 09-01843 CRB